

110TH CONGRESS  
1ST SESSION

# S. 428

To amend the Wireless Communications and Public Safety Act of 1999,  
and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 30, 2007

Mr. NELSON of Florida (for himself, Ms. SNOWE, and Mrs. CLINTON) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To amend the Wireless Communications and Public Safety  
Act of 1999, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “IP-Enabled Voice  
5       Communications and Public Safety Act of 2007”.

6       **SEC. 2. DUTY TO PROVIDE 911 AND E-911 SERVICE.**

7       (a) IN GENERAL.—The Wireless Communications  
8       and Public Safety Act of 1999 (47 U.S.C. 615 et seq.)  
9       is amended by adding at the end the following:

1 **“SEC. 7. IP-ENABLED VOICE SERVICE PROVIDERS.**

2 “(a) IN GENERAL.—It shall be the duty of every IP-  
3 enabled voice service provider engaged in interstate or for-  
4 eign communication to provide 9–1–1 service, including  
5 enhanced 9–1–1 service, to its subscribers in accordance  
6 with the orders of the Commission.

7 “(b) ACCESS TO 911 COMPONENTS.—

8 “(1) REGULATIONS.—Within 90 days after the  
9 date of enactment of the IP-Enabled Voice Commu-  
10 nications and Public Safety Act of 2007, the Com-  
11 mission shall issue regulations granting IP-enabled  
12 voice service providers rights of access to 911 com-  
13 ponents that are comparable to the rights of access  
14 to 911 components granted to commercial mobile  
15 service providers. In promulgating the regulations,  
16 the Commission shall take into account any technical  
17 or network security issues that are specific to IP-en-  
18 abled voice services.

19 “(2) DELEGATION OF ENFORCEMENT TO STATE  
20 COMMISSIONS.—The Commission may delegate au-  
21 thority to enforce the regulations issued under para-  
22 graph (1) to State commissions or other State agen-  
23 cies or programs with jurisdiction over emergency  
24 communications.

25 “(c) SAVINGS CLAUSE.—Nothing in the IP-Enabled  
26 Voice Communications and Public Safety Act of 2007

1 shall be construed as repealing or otherwise altering,  
 2 modifying, affecting, or superseding Federal regulations  
 3 obligating an IP-enabled voice service provider to provide  
 4 9–1–1 service or enhanced 9–1–1 service.”.

5 (b) DEFINITIONS.—Section 6 of the Wireless Com-  
 6 munications and Public Safety Act of 1999 (47 U.S.C.  
 7 615b) is amended by adding at the end thereof the fol-  
 8 lowing:

9 “(8) IP-ENABLED VOICE SERVICE.—The term  
 10 ‘IP-enabled voice service’ means a service that—

11 “(A) enables real-time, 2-way voice com-  
 12 munications;

13 “(B) requires a broadband connection from  
 14 the user’s location;

15 “(C) requires Internet protocol-compatible  
 16 customer premises equipment; and

17 “(D) permits users generally to receive  
 18 calls that originate on the public switched tele-  
 19 phone networks and to terminate calls to the  
 20 public switched telephone network.

21 “(9) IP-ENABLED 9–1–1 SERVICE.—The term  
 22 ‘IP-enabled 9–1–1 service’ means any 9–1–1 service  
 23 provided by an IP-enabled voice service provider, in-  
 24 cluding enhanced IP-enabled 9–1–1 service.

1           “(10) ENHANCED IP-ENABLED 9-1-1 SERV-  
 2           ICE.—The term ‘enhanced IP-enabled 9-1-1 service’  
 3           means any enhanced 9-1-1 service so designated by  
 4           the Federal Communications Commission in its Re-  
 5           port and Order in WC Docket Nos. 04-36 and 05-  
 6           196, or any successor proceeding.

7           “(11) 911 COMPONENT.—The term ‘911 com-  
 8           ponent’ means any equipment, network, databases  
 9           (including automatic location information databases  
 10          and master street address guides), interface, selec-  
 11          tive router, trunkline, or other related facility nec-  
 12          essary for the delivery and completion of 911 or E-  
 13          911 calls and information related to such calls to  
 14          which the Commission requires access pursuant to  
 15          its rules and regulations.”.

16 **SEC. 3. PARITY OF PROTECTION FOR PROVISION OR USE**  
 17 **OF IP-ENABLED VOICE SERVICE.**

18          Section 4 of the Wireless Communications and Public  
 19          Safety Act of 1999 (47 U.S.C. 615a) is amended—

20               (1) by striking “carrier,” in subsection (a) and  
 21               inserting “carrier or an IP-enabled voice service pro-  
 22               vider,”;

23               (2) by striking “its” the first place it appears  
 24               in subsection (a) and inserting “their”;

1           (3) by striking “service shall” in subsection (b)  
2           and inserting “service, or IP-enabled voice service,  
3           shall”;

4           (4) by striking “wireless.” in subsection (b) and  
5           inserting “wireless or IP-enabled.”;

6           (5) by striking “communications,” in subsection  
7           (c) and inserting “communications or IP-enabled  
8           voice service communications,”; and

9           (6) by striking “wireless.” in subsection (c) and  
10          inserting “wireless or IP-enabled.”.

11 **SEC. 4. STATE AUTHORITY OVER FEES.**

12          Nothing in this Act, the Communications Act of 1934  
13 (47 U.S.C. 151 et seq.), the Wireless Communications and  
14 Public Safety Act of 1999 (47 U.S.C. 615a), or any Fed-  
15 eral Communications Commission regulation or order shall  
16 prevent the imposition on, or collection from, a provider  
17 of IP-enabled voice services of any fee or charge specifi-  
18 cally designated by a State, political subdivision thereof,  
19 or Indian tribe for the support of 911 or E-911 services  
20 if that fee or charge—

21           (1) does not exceed the amount of any such fee  
22           or charge imposed on or collected from a provider of  
23           telecommunications services; and

24           (2) is obligated or expended in support of 911  
25           and E-911 services, or enhancements of such serv-

1       ices, or other emergency communications services as  
 2       specified in the provision of State or local law adopt-  
 3       ing the fee or charge.

4   **SEC. 5. MIGRATION TO IP-ENABLED EMERGENCY NET-**  
 5       **WORK.**

6       (a) IN GENERAL.—Section 158 of the National Tele-  
 7       communications and Information Administration Organi-  
 8       zation Act (47 U.S.C. 942) is amended—

9               (1) by redesignating subsections (d) and (e) as  
 10       subsections (e) and (f), respectively;

11              (2) by inserting after subsection (c) the fol-  
 12       lowing:

13       “(d) MIGRATION PLAN REQUIRED.—

14              “(1) NATIONAL PLAN REQUIRED.—No more  
 15       than 180 days after the date of the enactment of the  
 16       IP-Enabled Voice Communications and Public Safe-  
 17       ty Act of 2007, the Office shall develop and report  
 18       to Congress on a national plan for migrating to a  
 19       national IP-enabled emergency network capable of  
 20       receiving and responding to all citizen activated  
 21       emergency communications and improving informa-  
 22       tion sharing among all emergency response entities.

23              “(2) CONTENTS OF PLAN.—The plan required  
 24       by paragraph (1) shall—

1           “(A) outline the potential benefits of such  
2 a migration;

3           “(B) identify barriers that must be over-  
4 come and funding mechanisms to address those  
5 barriers;

6           “(C) include a proposed timetable, an out-  
7 line of costs and potential savings;

8           “(D) provide specific legislative language,  
9 if necessary, for achieving the plan;

10          “(E) provide recommendations on any leg-  
11 islative changes, including updating definitions,  
12 to facilitate a national IP-enabled emergency  
13 network;

14          “(F) assess, collect, and analyze the expe-  
15 riences of the PSAPs and related public safety  
16 authorities who are conducting trial deploy-  
17 ments of IP-enabled emergency networks as of  
18 the date of enactment of the IP-Enabled Voice  
19 Communications and Public Safety Act of  
20 2007; and

21          “(G) document solutions that a national  
22 IP-enabled emergency network will provide for  
23 9–1–1 access to those with disabilities.

24          “(3) CONSULTATION.—In developing the plan  
25 required by paragraph (1), the Office shall consult

1 with representatives of the public safety community,  
2 groups representing those with disabilities, tech-  
3 nology and telecommunications providers, and others  
4 it deems appropriate.”; and

5 (3) by striking “services.” in subsection (b)(1)  
6 and inserting “services, and, upon completion of de-  
7 velopment of the national plan for migrating to a  
8 national IP-enabled emergency network under sub-  
9 section (d), for migration to an IP-enabled emer-  
10 gency network.”.

11 (b) AVAILABILITY OF PSAP INFORMATION.—The  
12 Federal Communications Commission may compile a list  
13 of public safety answering point contact information, test-  
14 ing procedures, and classes and types of services sup-  
15 ported by public safety answering points, or other infor-  
16 mation concerning necessary 911 components, for the pur-  
17 pose of assisting providers in complying with this section,  
18 and may make any portion of such information available  
19 to the public if such availability would improve public safe-  
20 ty.

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